

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Pelisi Foketi Fonua,

Petitioner

v.

United States of America, et al.,

Respondents

Case No.: 2:24-cv-00385-APG-DJA

**Order Directing Service of Petition
and Response**

[ECF No. 2]

Petitioner Pelisi Foketi Fonua has filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. ECF No. 2. Fonua challenges his prolonged detention without a fair bond hearing. Fonua seeks an order directing the respondents to immediately release him or, alternatively, an order directing the respondents to provide Fonua with another bond hearing wherein the government bears the burden of proof to show, by clear and convincing evidence, that Fonua is currently a danger to the community or flight risk. Having conducted a preliminary review of the petition, I direct service on the respondents.

I THEREFORE ORDER:


1. The Clerk of the Court SERVE copies of the petition (ECF No. 2) and this order on the respondents as follows:

- By electronically through CM/ECF serving a copy of the petition (ECF No. 2) and this order on the United State Attorney for the District of Nevada in accordance with Rule 5(b)(2)(E) of the Federal Rules of Civil Procedure;
- By sending a copy of the petition (ECF No. 2) and this order by mail to: (1) Alejandro Mayorkas, Secretary of the Department of Homeland Security, 2707 Martin Luther King Jr. Ave SE, Washington, DC 20528; (2) Merrick B.

1 Garland, Attorney General of the United States, 950 Pennsylvania Avenue,
2 NW, Washington, DC 20530-0001; and (3) Kerri Ann Quihuis, ICE Field
3 Officer Director for Nevada, 501 Las Vegas Boulevard South, Suite 536, Las
4 Vegas, NV 89101.

- 5 2. The respondents must file and serve their response to the petition within 21 days of
6 the date of this order, unless additional time is allowed for good cause shown.
- 7 3. Fonua will have 14 days from the date of service of the response to file and serve his
8 reply, unless additional time is allowed for good cause shown.
- 9 4. The Clerk of the Court is directed to provide a copy of this order to Fonua.

10 DATED this 19th day of April, 2024.

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13 ANDREW P. GORDON
14 UNITED STATES DISTRICT JUDGE
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